

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:14CR123
)	
v.)	
)	
ESTEBAN BARAJAS-MEDINA,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on defendant's petition for writ of mandamus (Filing No. [17](#)) filed June 17, 2014.

Defendant claims he had been in jail four months. The Court records reflect defendant was indicted on April 24, 2014, and arrested on May 2, 2014. Defendant had clearly not been in federal custody for four months.

Thereafter, on July 1, 2014, a Rule 11 hearing was scheduled, and the time between July 1, 2014, and July 14, 2014, the date of the Rule 11 hearing, was excluded under the requirement of the speedy trial act. Defendant was subsequently sentenced on October 29, 2014. Accordingly,

IT IS ORDERED that defendant's petition for writ of mandamus is denied.

DATED this 3rd day of November, 2014.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court